

THE HON'BLE SRI JUSTICE SANJAY KUMAR
CIVIL REVISION PETITION NO.5832 OF 2018

ORDER

This civil revision petition under Section 115 CPC arises out of the order dated 19.09.2018 passed by the executing Court of the learned II Additional Senior Civil Judge, Ranga Reddy District at L.B.Nagar, in E.P.No.1 of 2013 in O.S.No.2124 of 2008. By the said order, the executing Court took note of the fact that the judgment in the suit was the subject matter of S.A.No.98 of 2013 filed before this Court and by judgment dated 31.07.2017 passed therein, this Court granted time up to 31.10.2017 to the judgment-debtors to vacate the suit premises. The executing Court therefore observed that despite the time fixed by this Court, the judgment-debtors had not vacated the premises and were requesting further time without showing any valid reasons and accordingly directed issuance of a delivery warrant on payment of process. Aggrieved by these directions, the first judgment-debtor is before this Court.

Ms.T.Radha Rani, learned counsel for the petitioner, does not dispute the fact that as per the order dated 31.07.2017 passed by this Court in S.A.No.98 of 2013, time granted for vacating the premises expired on 31.10.2017. That being so, it is not for the executing Court to entertain any application for further extension of time. This Court therefore finds no error having been committed by the executing Court in refusing such extension and directing issuance of the warrant.

The civil revision petition is utterly misconceived and is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

12th OCTOBER, 2018

Sv

SANJAY KUMAR, J